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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/171,296 12/21/93 HENITS

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LE, T EXAMINER

ESM1/0324

PETER VRAHOTES - PITNEY BOWES INC.
INTELLECTUAL PROPERTY AND TECHNOLOGY
LAW DEPARTMENT - WORLD HEADQUARTERS
ONE ELMCROFT ROAD
STAMFORD, CT 06926-0700

ART UNIT PAPER NUMBER

2514 4 3

DATE MAILED: 03/24/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☒ Notice of References Cited by Examiner, PTO-892.
- ☒ Notice re Patent Drawing, PTO-948.
- ☒ Notice of Art Cited by Applicant, PTO-1449.
- ☐ Notice of informal Patent Application, Form PTO-152.
- ☐ Information on How to Effect Drawing Changes, PTO-1474.
- ☐ _____

Part II SUMMARY OF ACTION

1. ☒ Claims 1-8 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 1-8 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).

12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

Art Unit: 2514

Part III DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claim 6 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 is indefinite in lines 5 since it lacks of a proper antecedent for the term "said second printer". Proper support is found in lines 7 of claim 8.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 -4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Leung et al.

Leung et al. disclose a method and device for recording and replaying audio communication which comprises the steps of monitoring an audio input signal using a LCD display 22, and the

Art Unit: 2514

step of transferring the data from the data buffer 181 and data bus buffer 224-226 to the DRAMs of the memory banks 228 and 230 (see Fig. 1, 4-7,9; col. 3-20). As can be seen, Leung et al. disclose the claimed invention.

Regarding claim 2, the upper memory bank 228 as taught by Leung et al. serves as the claimed primary RAM portion. Regarding the claimed index table, see Fig. 2; col. 3, lines 65-68; col. 4-6; col. 7, lines 25).

Regarding claim 3, the lower memory bank 230 as taught by Leung et al. serves as the claimed secondary portion which would meet all limitations set forth in this claim.

Regarding claim 4, see Fig. 2.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same

Art Unit: 2514

person or subject to an obligation of assignment to the same person.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

5. Claims 5-8 are rejected under 35 U.S.C. § 103 as being unpatentable over Leung et al. in view of Knitl.

Regarding claims 5 and 8, the system as taught by Leung et al., as has been discussed above, discloses all claimed features except the interfacing means for compressing the data. On the other hand, Knitl discloses the use of an adaptive pre-processing interfacing unit in which incoming audio data is compressed in order to reduce the outlay that is necessary for the intended storing in the unit SP, or RAM. Since the use of the ADPCM method for compressing audio data is notoriously well known, and since one of ordinary skill would readily recognize the use of the ADPCM interfacing unit would greatly increase the storage capacity of the typical DRAMs, it would have been an obvious expedient for one with such skill in the art to incorporate the ADPCM compressing method and circuitry as taught by Knitl in the system as taught by Leung et al. to increase the storage capacity

Art Unit: 2514

of the DRAM and thus increases the performance of the overall system.

Regarding claim 6, the speaker 22 as taught by Leung et al. would meet all limitations set forth in this claim.

Regarding claim 7, the system as taught by Leung et al., as modified by Knitl, would meet all limitations set forth in this claim.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S Patent # 5,283,818 publication by Klausnet et al. discloses a telephone answering device linking displayed data with recorded audio message.

U.S Patent # 5,199,062 publication by Von Meister et al. discloses a telephone communications system including a digital telephone switch, a voice response unit and a stored program sequence for controlling both the switch and the voice response unit.

U.S Patent # 5,163,085 publication by Sweet et al. discloses a digital dictation system with voice mail capability.

U.S Patent # 5,065,428 publication by Mitchell et al. discloses a secure mode answering machine.

Serial Number: 08/171,296

-6-

Art Unit: 2514

U.S Patent # 5,034,975 publication by Grimes discloses a voice announcement for improving functionality of multi-line telephones.

U.S Patent # 4,811,376 publication by Davis et al. discloses a paging system using LPC speech encoding with an adaptive bit rate.

U.S Patent # 4,663,777 publication by Szeto discloses an apparatus for controlling digital voice recording and playback over telephone lines and adapted for use with standard host computers.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thien Le whose telephone number is (703) 305-3500.

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March 21, 1994


DONALD HAJEC
SUPERVISORY PATENT EXAMINER
GROUP 2500